



North Carolina Department of Administration

Pat McCrory, Governor

Bill Daughtridge, Jr., Secretary

December 1, 2015

Ms. Gail Mount
North Carolina Department of Commerce
Utilities Commission
4325 Mail Service Center
Raleigh, North Carolina 27699-4325

Re: SCH File # 16-E-4600-0117; Application of Jester Solar LLC, for a Certificate to construct a 5-MW Solar Facility in Wayne Co. Docket #SP-6934, Sub 0.

Dear Ms. Mount:

The above referenced environmental impact information has been reviewed through the State Clearinghouse under the provisions of the North Carolina Environmental Policy Act.

Attached to this letter are comments made in the review of this document. Because of the nature of the comments, it has been determined that no further State Clearinghouse review action on your part is needed for compliance with the North Carolina Environmental Policy Act. The attached comments should be taken into consideration in project development.

Sincerely,

A handwritten signature in cursive script that reads "Crystal Best".

Crystal Best
State Environmental Review Clearinghouse

Attachments

cc: Region P

Mailing Address:
1301 Mail Service Center
Raleigh, NC 27699-1301

Telephone: (919)807-2425
Fax (919)733-9571
State Courier #51-01-00
e-mail state.clearinghouse@doa.nc.gov

Location Address:
116 West Jones Street
Raleigh, North Carolina




Environmental
Quality

PAT MCCRORY
Governor

DONALD R. VAN DER VAART
Secretary

MEMORANDUM

To: Crystal Best
State Clearinghouse Coordinator
Department of Administration

From: Lyn Hardison 
Division of Environmental Assistance and Customer Service
Environmental Assistance and Project Review Coordinator

RE: 16-0117
Environmental Review –Application of Jester Solar LLC for the Certificate to
construct a 5-MW Solar Photovoltaic Electric Generating Facility
Wayne County

Date: November 30, 2015

The Department of Environmental Quality and other programs has completed its review of the proposal for the referenced project. Based on the information provided, several of our agencies have identified permits that may be required. The agencies have offered some valuable guidance to be performed prior to application submittals and ground disturbance which will help reduce any impacts to the natural resources within the project area. The comments are attached for the applicant's review.

If the applicant has any questions pertaining to NCDEQ permitting processes, please ask them to contact Lyn Hardison, Permit Assistance Coordinator, in the Department's Washington Regional Office, (252)948-3842. The proposed project is located within his geographic working territory.

Thank you for the opportunity to respond.

Attachment



State of North Carolina
Department of Environment and Natural Resources
INTERGOVERNMENTAL REVIEW - PROJECT COMMENTS

Reviewing Office: Washington

Project Number 16-0117 Due Date: 11/25/2015
County Wayne

After review of this project it has been determined that the ENR permit(s) and/or approvals indicated may need to be obtained in order for this project to comply with North Carolina Law. Questions regarding these permits should be addressed to the Regional Office indicated on the reverse of the form. All applications, information and guidelines relative to these plans and permits are available from the same Regional Office.

	PERMITS	SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process Time (statutory time limit)
<input type="checkbox"/>	Permit to construct & operate wastewater treatment facilities, sewer system extensions & sewer systems not discharging into state surface waters.	Application 90 days before begin construction or award of construction contracts. On-site inspection. Post-application technical conference usual.	30 days (90 days)
<input type="checkbox"/>	NPDES - permit to discharge into surface water and/or permit to operate and construct wastewater facilities discharging into state surface waters.	Application 180 days before begin activity. On-site inspection. Pre-application conference usual. Additionally, obtain permit to construct wastewater treatment facility-granted after NPDES. Reply time, 30 days after receipt of plans or issue of NPDES permit-whichever is later.	90-120 days (N/A)
<input type="checkbox"/>	Water Use Permit	Pre-application technical conference usually necessary	30 days (N/A)
<input type="checkbox"/>	Well Construction Permit	Complete application must be received and permit issued prior to the installation of a well.	7 days (15 days)
<input type="checkbox"/>	Dredge and Fill Permit	Application copy must be served on each adjacent riparian property owner. On-site inspection. Pre-application conference usual. Filling may require Easement to Fill from N.C. Department of Administration and Federal Dredge and Fill Permit.	55 days (90 days)
<input type="checkbox"/>	Permit to construct & operate Air Pollution Abatement facilities and/or Emission Sources as per 15 A NCAC (2Q.0100 thru 2Q.0300)	Application must be submitted and permit received prior to construction and operation of the source. If a permit is required in an area without local zoning, then there are additional requirements and timelines (2Q.0113).	90 days
<input type="checkbox"/>	Permit to construct & operate Transportation Facility as per 15A NCAC (2D.0800, 2Q.0601	Application must be submitted at least 90 days prior to construction or modification of the source.	90 days
<input checked="" type="checkbox"/>	Any open burning associated with subject proposal must be in compliance with 15 A NCAC 2D.1900	N/A	60 days (90 days)
<input checked="" type="checkbox"/>	Demolition or renovations of structures containing asbestos material must be in compliance with 15 A NCAC 20.1110 (a) (1) which requires notification and removal prior to demolition. Contact Asbestos Control Group 919-707-5950.		
<input type="checkbox"/>	Complex Source Permit required under 15 A NCAC 2D.0800		
<input checked="" type="checkbox"/>	The Sedimentation Pollution Control Act of 1973 must be properly addressed for any land disturbing activity. An erosion & sedimentation control plan will be required if one or more acres to be disturbed. Plan filed with proper Regional Office (Land Quality Section) At least 30 days before beginning activity. A fee of \$65 for the first acre or any part of an acre. An express review option is available with additional fees.		20 days (30 days)
<input type="checkbox"/>	Sedimentation and erosion control must be addressed in accordance with NCDOT's approved program. Particular attention should be given to design and installation of appropriate perimeter sediment trapping devices as well as stable stormwater conveyances and outlets.		(30 days)
<input type="checkbox"/>	Mining Permit	On-site inspection usual. Surety bond filed with ENR Bond amount varies with type mine and number of acres of affected land. Any are mined greater than one acre must be permitted. The appropriate bond must be received before the permit can be issued.	30 days (60 days)
<input type="checkbox"/>	North Carolina Burning permit	On-site inspection by N.C. Division Forest Resources if permit exceeds 4 days	1 day (N/A)
<input type="checkbox"/>	Special Ground Clearance Burning Permit - 22 counties in coastal N.C. with organic soils	On-site inspection by N.C. Division Forest Resources required "if more than five acres of ground clearing activities are involved. Inspections should be requested at least ten days before actual bum is planned."	1 day (N/A)
<input type="checkbox"/>	Oil Refining Facilities	N/A	90-120 days (N/A)
<input type="checkbox"/>	Dam Safety Permit	If permit required, application 60 days before begin construction. Applicant must hire N.C. qualified engineer to: prepare plans, inspect construction, certify construction is according to ENR approved plans. May also require permit under mosquito control program. And a 404 permit from Corps of Engineers. An inspection of site is necessary to verify Hazard Classification. A minimum fee of \$200.00 must accompany the application. An additional processing fee based on a percentage or the total project cost will be required upon completion.	30 days (60 days)

February 11, 2015

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Dec 01 2015

County <u>Wayne</u>		Project Number: <u>16-0117</u>	Due Date: <u>11/25/2015</u>	Normal Process Time (statutory time limit)
PERMITS		SPECIAL APPLICATION PROCEDURES or REQUIREMENTS		
<input type="checkbox"/>	Permit to drill exploratory oil or gas well	File surety bond of \$5,000 with ENR running to State of NC conditional that any well opened by drill operator shall, upon abandonment, be plugged according to ENR rules and regulations.		10 days N/A
<input type="checkbox"/>	Geophysical Exploration Permit	Application filed with ENR at least 10 days prior to issue of permit. Application by letter. No standard application form.		10 days N/A
<input type="checkbox"/>	State Lakes Construction Permit	Application fee based on structure size is charged. Must include descriptions & drawings of structure & proof of ownership of riparian property.		15-20 days N/A
<input type="checkbox"/>	401 Water Quality Certification	N/A		60 days (130 days)
<input type="checkbox"/>	CAMA Permit for MAJOR development	\$250.00 fee must accompany application		55 days (150 days)
<input type="checkbox"/>	CAMA Permit for MINOR development	\$50.00 fee must accompany application		22 days (25 days)
<input type="checkbox"/>	Several geodetic monuments are located in or near the project area. If any monument needs to be moved or destroyed, please notify: N.C. Geodetic Survey, Box 27687 Raleigh, NC 27611			
<input type="checkbox"/>	Abandonment of any wells, if required must be in accordance with Title 15A. Subchapter 2C.0100.			
<input type="checkbox"/>	Notification of the proper regional office is requested if "orphan" underground storage tanks (USTS) are discovered during any excavation operation.			
<input type="checkbox"/>	Compliance with 15A NCAC 2H 1000 (Coastal Stormwater Rules) is required.			45 days (N/A)
<input type="checkbox"/>	Catawba, Jordan Lake, Randalman, Tar Pamlico or Neuse Riparian Buffer Rules required.			
<input type="checkbox"/>	Plans and specifications for the construction, expansion, or alteration of a public water system must be approved by the Division of Water Resources/Public Water Supply Section prior to the award of a contract or the initiation of construction as per 15A NCAC 18C .0300 et. seq. Plans and specifications should be submitted to 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. All public water supply systems must comply with state and federal drinking water monitoring requirements. For more information, contact the Public Water Supply Section, (919) 707-9100.			30 days
<input type="checkbox"/>	If existing water lines will be relocated during the construction, plans for the water line relocation must be submitted to the Division of Water Resources/Public Water Supply Section at 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. For more information, contact the Public Water Supply Section, (919) 707-9100.			30 days

Other comments (attach additional pages as necessary, being certain to cite comment authority)

Division	Initials	No comment	Comments	Date Review
DAQ	FDB	<input checked="" type="checkbox"/>	No Comments	11/2/15
DWR-WQROS (Aquifer & Surface)	AS	<input type="checkbox"/> <input type="checkbox"/>	Based on a review of the proposed 5 MW Solar Photovoltaic Electric Facility located approximately 0.5 miles southwest from the intersection of East New Hope Road and Millers Chapel Road in Goldsboro, Wayne County, mapped partially hydric Soils Series and hydric Soils Series are located on the subject project area according to the Natural Resource Conversation Service (NRCS) Web Soil Survey. Therefore, the following comments were points of consideration when considering the development of this project. Review of the subject project found no mention of possible existence or impacts to jurisdictional wetlands, streams and/or waters within the footprint of the proposed project. This Office highly recommends coordinating with the United States Army Corps of Engineers (USACOE) concerning identification of any jurisdictional features and the required permitting that may be involved prior to the implementation of this project.	/ / 11/4/15
DWR-PWS	NA	<input type="checkbox"/>	NA	/ /
DEMLR (LQ & SW)	RP	<input type="checkbox"/>	See checked box above	11/25/15
DWM - UST		<input type="checkbox"/>		/ /

REGIONAL OFFICES

Questions regarding these permits should be addressed to the Regional Office marked below.

☐ Asheville Regional Office☐ Mooresville Regional Office☐ Wilmington Regional Office

2090 US Highway 70
Swannanoa, NC 28778
(828) 296-4500

☐ **Fayetteville Regional Office**
225 North Green Street, Suite 714
Fayetteville, NC 28301-5043
(910) 433-3300

610 East Center Avenue, Suite 301
 Mooresville, NC 28115
(704) 663-1699

☐ **Raleigh Regional Office**
3800 Barrett Drive, Suite 101
Raleigh, NC 27609
(919) 791-4200

☒ **Washington Regional Office**
943 Washington Square Mall
Washington, NC 27889
(252) 946-6481

127 Cardinal Drive Extension
Wilmington, NC 28405
(910) 796-7215

☐ **Winston-Salem Regional Office**
450 West Hanes Mill Road, Suite 300
Winston-Salem, NC 27105
(336) 771-9800

**NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW**

COUNTY: WAYNE

H11: ENERGY RELATED
FACILITIES/ACTIVITIES

STATE NUMBER: 16-E-4600-011
DATE RECEIVED: 10/29/2015
AGENCY RESPONSE: 11/25/2015
REVIEW CLOSED: 11/30/2015

MS ELIZABETH HEATH
CLEARINGHOUSE COORDINATOR
DEPT OF AGRICULTURE
1001 MSC - AGRICULTURE BLDG
RALEIGH NC

REVIEW DISTRIBUTION

DENR - COASTAL MGT
DENR LEGISLATIVE AFFAIRS
DEPT OF AGRICULTURE
DEPT OF CULTURAL RESOURCES
DEPT OF TRANSPORTATION
DPS - DIV OF EMERGENCY MANAGEMENT
EASTERN CAROLINA COUNCIL

PROJECT INFORMATION

APPLICANT: N.C. Department of Commerce
TYPE: State Environmental Policy Act
Environmental Review

DESC: Application of Jester Solar LLC, for a Certificate to construct a 5-MW Solar Facility in Wayne Co. Docket #SP-6934, Sub 0. - View document at <http://starw1.ncuc.net/NCUC/portal/ncuc/page/Dockets/portal.aspx>, Type SP-6934 Sub 0 in the Docket Number search line.

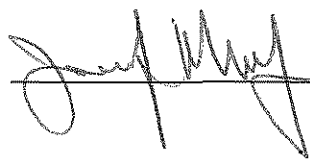
Located along Chapel Rd, approx .5 of a mile southwest intersection E. New Hope Rd and Millers Chapel, Goldsboro, NC

The attached project has been submitted to the N. C. State Clearinghouse for intergovernmental review. Please review and submit your response by the above indicated date to 1301 Mail Service Center, Raleigh NC 27699-1301.

If additional review time is needed, please contact this office at (919)807-2425.

AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED: ☐ NO COMMENT ☒ COMMENTS ATTACHED

SIGNED BY: _____



DATE: _____

11/24/2015



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Dec 01 2015



Dr. Richard Reich
Assistant Commissioner

North Carolina Department of Agriculture
and Consumer Services
Agricultural Services

Joseph Hudyncia
Environmental Programs

Zeke Creech
State Clearinghouse
N.C. Department of Administration
1301 Mail Service Center
Raleigh, North Carolina 27699-1301

November 24, 2015

Dear Mr. Creech:

The footprint of the proposed Photovoltaic Electric Generating Facility has the potential to negatively impact agricultural/environmental balance in the immediate area. The NCDA&CS encourages due consideration be given to taking agricultural land out of production, especially prime and unique farmland, and farmland of statewide importance.

Agricultural production incomes from locally grown products have a considerable multiplier influence. It is estimated that for every 40 acres converted from agricultural production, one agribusiness job and its associated economic activity is lost indefinitely. Furthermore the costs of community services used by agribusiness are usually minimal and therefore are net contributors to county budgets. Both current and future cost for the conversion of land from production agriculture is needed for an accurate evaluation.

Ultimately a landowner is free to make the land use decision that is in his or her best interest. In the event that the project is implemented we encourage the use of best practices in construction and maintenance of the facility that insure that the productive capabilities of the land and the integrity of unique or sensitive habitats is maintained. It is also recommended that a decommissioning plan that clearly defines responsibility and conditions, including restoration to prior condition, is incorporated.

We have cross-referenced the parcel for existing easements related to agriculture and found no CREP conservation easements, swine buyout easements, ADFP easements, plant conservation easements or plant conservation priority sites on the subject property.

Respectfully,

Joseph Hudyncia
Environmental Programs
NCDA&CS

Natasha Earle

**NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW**

COUNTY: WAYNE

H11: ENERGY RELATED
FACILITIES/ACTIVITIES

STATE NUMBER: 16-E-4600-011
DATE RECEIVED: 10/29/2015
AGENCY RESPONSE: 11/25/2015
REVIEW CLOSED: 11/30/2015

MS CARRIE ATKINSON
CLEARINGHOUSE COORDINATOR
DEPT OF TRANSPORTATION
STATEWIDE PLANNING - MSC #1554
RALEIGH NC

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DEPT OF CULTURAL RESOURCES
DEPT OF TRANSPORTATION
DPS - DIV OF EMERGENCY MANAGEMENT
EASTERN CAROLINA COUNCIL

PROJECT INFORMATION

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If additional review time is needed, please contact this office at (919)807-2425.

AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED: ☐ NO COMMENT ☒ COMMENTS ATTACHED

SIGNED BY:

Natasha Earle-Yung

DATE:

11/5/2015



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Dec 01 2015



PAT McCrory
Governor

NICHOLAS J. TENNYSON
Secretary

November 5, 2015

Jester Solar LLC

State Number : 16-E-4600-0117

Project Title: North Carolina Department of Transportation

After reviewing your application it has been determined that the TIP U-3611 is located near a facility that is scheduled for improvements. State TIP Project U-3611 proposes to improve the existing facility. To avoid any potential conflicts, please coordinate with Jimmy Eatmon, P.E., who is the Program and Schedule Support Manager in Highway Division 4. Jimmy Eatmon, P.E. can be reached by phone at (252) 237-6164 or by email jeatmon@ncdot.gov.

Sincerely,

Nastasha Earle-Young
Transportation Planning Branch
Southeast Unit



NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW

COUNTY: WAYNE

H11: ENERGY RELATED
FACILITIES/ACTIVITIES

STATE NUMBER: 16-E-4600-011
DATE RECEIVED: 10/29/2015
AGENCY RESPONSE: 11/25/2015
REVIEW CLOSED: 11/30/2015

MS CAROLYN PENNY
CLEARINGHOUSE COORDINATOR
DPS - DIV OF EMERGENCY MANAGEMENT
FLOODPLAIN MANAGEMENT PROGRAM
MSC # 4218
RALEIGH NC

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AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED: ☒ NO COMMENT ☐ COMMENTS ATTACHED

SIGNED BY:

David Herberg

DATE:

11/4/15



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Dec 01 2015